

**COPY**

Of Counsel:  
ALSTON HUNT FLOYD & ING  
Attorneys At Law  
A Law Corporation

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

PAUL ALSTON 1126-0  
GLENN T. MELCHINGER 7135-0  
American Savings Bank Tower  
1001 Bishop Street, 18th Floor  
Honolulu, Hawai'i 96813  
Telephone: (808) 524-1800  
Facsimile: (808) 524-4591  
Email: gtm@ahfi.com

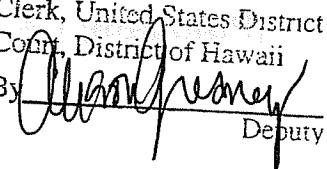
JUN 14 2004  
at 11 o'clock and 10 min. AM  
WALTER A.Y.H. CHINN, CLERK

Atorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO (USA) CO., LTD., a Delaware corporation, ) CV 04-00125 ACK/BMK  
Plaintiff, ) FIRST AMENDED  
vs. ) COMPLAINT TO SET ASIDE  
PUKALANI GOLF CLUB, LLC, a ) FRAUDULENT TRANSFER  
Hawai'i limited liability company; ) (PUKALANI)  
and KG MAUI DEVELOPMENT, LLC, a Hawai'i limited liability )  
company, )  
Defendants. )

ATTEST: A True Copy  
WALTER A.Y.H. CHINN  
Clerk, United States District  
Court, District of Hawaii  
By   
Deputy

**FIRST AMENDED COMPLAINT TO SET  
ASIDE FRAUDULENT TRANSFER (PUKALANI)**

Plaintiff SPORTS SHINKO (USA), CO., LTD. ("SS USA"), by and through its undersigned attorneys, brings this action to set aside transfer made in violation of the Uniform Fraudulent Transfer Act, HRS Ch. 651C. SS USA seeks damages as well as equitable and declaratory relief.

**PARTIES**

1. Plaintiff SS USA is a corporation organized and operating under the laws of Delaware. Its principal place of business is in West Virginia. SS USA's majority owner is Sports Shinko Co., Ltd. ("SS Japan"), a Japanese corporation. SS Japan is was in reorganization under Japanese law under the control of Trustee Mutsuo Tahara and Deputy Trustee Keijiro Kimura (collectively, the "Trustee"). Keijiro Kimura was President of Sports Shinko (Hawai`i) Co., Ltd. ("SSH"), a Hawai`i corporation, which is wholly owned by SS USA. SSH owns all the stock of Sports Shinko (Pukalani) Co., Ltd.

D. Order an accounting of all revenues received and expenses paid by Defendants PGC and KGMD in connection with the Pukalani Properties; and

E. Award SS USA damages commensurate with the proof at trial as well as its attorneys' fees and costs, and such other and further relief as may be just and proper.

DATED: Honolulu, Hawaii,

*JUNE 14, 2004*

*PAUL ALSTON*  
PAUL ALSTON  
GLENN T. MELCHINGER  
Attorneys for Plaintiff